

**Appendix 1. SWRCB Public Notice for the Delta Wetlands
Water Right Applications**

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

P.O. BOX 2000, Sacramento, CA 95810
901 P Street, Sacramento, CA 95814



NOTICE OF APPLICATIONS TO APPROPRIATE WATER

APPLICATIONS 29061, 29062, 29063 AND 29066

Notice is hereby given that on July 9, 1987

Bedford Properties
c/o John L. Winther, P.O. Box 1267, Lafayette, CA 94549

Applied to the State Water Resources Control Board for permits to appropriate water, subject to vested rights. The Board has determined that the applications are in compliance with Section 65943 of the Government Code.

APPLICATION 29061

DESCRIPTION OF PROJECT

The applicant proposes to construct a 96,070 acre-foot capacity offstream reservoir with a surface area of 4,630 acres. The proposed reservoir will cover all that portion of Bouldin Island south of State Highway 12. Water will be diverted to the reservoir by gravity flow from Little Potato Slough, Mokelumne River, San Joaquin River and Potato Slough via various existing siphons and gates in the existing levees and a proposed set of five 48-inch diameter pipe siphons. The maximum rate of diversion to offstream storage will not exceed 3,000 cubic feet per second (cfs). The offstream reservoir and all initial points of diversion are located in San Joaquin County. The water is used for municipal, irrigation and domestic uses all within a portion of the service areas of the California Department of Water Resources, State Water Project and U.S. Bureau of Reclamation, Central Valley Project, as shown on maps on file with the State Water Resources Control Board.

APPLICATION INFORMATION

Main Point of Diversion

Water to be appropriated from Little Potato Slough tributary to
San Joaquin River Delta Channels
Point of Diversion within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 26, T3N, R4E, MDB&M

Other Points of Diversions
(Existing & Movable Siphons, and Gates)

Water to be appropriated from Mokelumne River tributary to
San Joaquin River Delta Channels
Points of Diversion are along the west shore line of Bouldin Island starting from a point within the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 7, to a point within the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 19, all within T3N, R4E, MDB&M

Water to be appropriated from San Joaquin River tributary to
Suisun Bay
Points of Diversion are along the west shore line of Bouldin Island starting from a point within the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 19, to a point within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 30, all within T3N, R4E, MDB&M

Water to be appropriated from Potato Slough tributary to
San Joaquin River Delta Channels
Points of Diversion are along the south shore line of Bouldin Island starting from a point within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 30, to a point within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 35, all within T3N, R4E, MDB&M

Water to be appropriated from Little Potato Slough tributary to
San Joaquin River Delta Channels
Points of Diversion are along the east shore line of Bouldin Island starting from a point within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 35, to a point within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 14, all within T3N, R4E, MDB&M

In the County of San Joaquin

Amount applied for: 96,070 acre-feet per annum by storage
Water to be used for: Municipal, Irrigation and Domestic
Diversion season named: December 15 to May 1

APPLICATION 29062

DESCRIPTION OF PROJECT

The applicant proposes to construct a 106,900 acre-foot capacity offstream reservoir with a surface area of 5,260 acres. The proposed reservoir will cover all of the property located within Webb Tract. Water will be diverted to the reservoir by gravity flow from Old River, False River, Fishermans Cut, and San Joaquin River via various existing siphons and gates in the existing levees and a proposed set of ten 48-inch diameter pipe siphons. The maximum rate of diversion to offstream storage will not exceed 5,000 cubic feet per second (cfs). The offstream reservoir and all initial points of diversion are located in Contra Costa County. The water will be used for municipal, irrigation, and domestic uses all within a portion of the service areas of the California Department of Water Resources, State Water Project and U.S. Bureau of Reclamation, Central Valley Project, as shown on maps on file with the State Water Resources Control Board.

APPLICATION INFORMATION

Main Point of Diversion

Water to be appropriated from False River tributary to
San Joaquin River Delta Channels
Point of Diversion within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 36, T3N, R3E, MDB&M

Other Points of Diversions
(Existing & Movable Siphons, and Gates)

Water to be appropriated from Old River tributary to
San Joaquin River Delta Channels
Points of Diversion are along the southeast shore line of Webb Tract starting from a point within the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 30, to a point within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 31, all within T3N, R4E, MDB&M

Water to be appropriated from False River tributary to
San Joaquin River Delta Channels
Points of Diversion are along the south shore line of Webb Tract starting from a point within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 31, T3N, R4E, MDB&M, to a point within the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 33, T3N, R3E, MDB&M

Water to be appropriated from Fishermans Cut tributary to
San Joaquin River Delta Channels
Points of Diversion are along the west shore line of Webb Tract starting from a point within the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 33, to a point within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 28, all within T3N, R3E, MDB&M

Water to be appropriated from San Joaquin River tributary to
Suisun Bay
Points of Diversion are along the north and east shore line of Webb Tract starting from a point within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 28, T3N, R3E, MDB&M, to a point within the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 30, T3N, R4E, MDB&M

In the County of Contra Costa
Amount applied for: 106,900 acre-feet per annum by storage
Water to be used for: Municipal, Irrigation and Domestic purposes
Diversion season named: December 15 to May 1

APPLICATION 29063

DESCRIPTION OF PROJECT

The applicant proposes to construct a 69,050 acre-foot capacity offstream reservoir with a surface area of 4,100 acres. The proposed reservoir will cover all of the property located within Holland Tract. Water will be diverted to the reservoir by gravity flow from Holland Cut, Rock Slough, Sand Mound Slough, and Roosevelt Cut via various existing siphons and gates in the existing levees and a proposed set of four 48-inch diameter pipe siphons. The maximum rate of diversion to offstream storage will not exceed 3,000 cubic feet

per second (cfs). The offstream reservoir and all initial points of diversions are located in Contra Costa County. The water will be used for municipal, irrigation, and domestic uses all within a portion of the service areas of the California Department of Water Resources, State Water Project and U.S. Bureau of Reclamation, Central Valley Project, as shown on maps on file with the State Water Resources Control Board.

APPLICATION INFORMATION

Main Point of Diversion

Water to be appropriated from Holland Cut tributary to
Old River, thence San Joaquin River Delta Channels
Point of Diversion within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 19, T2N, R4E, MDB&M

Other Points of Diversions
(Existing & Movable Siphons, and Gates)

Water to be appropriated from Holland Cut tributary to
Old River, thence San Joaquin River Delta Channels
Points of Diversion are along the east shore line of Holland Tract
starting from a point within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 7, to a point
within the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 31, all within T2N, R4E, MDB&M

Water to be appropriated from Rock Slough tributary to
Old River, thence San Joaquin River Delta Channels
Points of Diversion are along the south shore line of Holland Tract
starting from a point within the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 31, T2N, R4E,
MDB&M, to a point within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 35, T2N, R3E, MDB&M

Water to be appropriated from Sand Mound Slough tributary to
Old River, thence San Joaquin River Delta Channels
Points of Diversion are along the west shore line of Holland Tract
starting from a point within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 35, to a point
within the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 23, all within T2N, R3E, MDB&M

Water to be appropriated from Roosevelt Cut tributary to
Old River, thence San Joaquin River Delta Channels
Points of Diversion are along the north shore line of Holland Tract
starting from a point within the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 23, T2N, R3E,
MDB&M, to a point within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 7, T2N, R4E, MDB&M

In the County of Contra Costa
Amount applied for: 69,050 acre-feet per annum by storage
Water to be used for: Municipal, Irrigation, and Domestic purposes
Diversion season named: December 15 to May 1

APPLICATION 29066

DESCRIPTION OF PROJECT

The applicant proposes to construct a 110,570 acre-foot capacity offstream reservoir with a surface area of 5,450 acres. The proposed reservoir will cover all of the property located within Bacon Island. Water will be diverted to the reservoir by gravity flow from Middle River, Santa Fe Dredge Cut, Old River and Connection Slough via various existing siphons and gates in the existing levees and a proposed set of ten 48-inch diameter pipe siphons. The maximum rate of diversion to offstream storage will not exceed 5,000 cubic feet per second (cfs). The offstream reservoir and all initial points of diversion are located in San Joaquin County. The water will be used for municipal, irrigation, and domestic uses all within a portion of the service areas of the California Department of Water Resources, State Water Project and U.S. Bureau of Reclamation, Central Valley Project, as shown on maps on file with the State Water Resources Control Board.

APPLICATION INFORMATION

Main Point of Diversion

Water to be appropriated from Connection Slough tributary to
Middle River, thence San Joaquin River Delta Channels
Point of Diversion within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 21, T2N, R4E, MDB&M

Other Points of Diversion
(Existing & Movable Siphons, and Gates)

Water to be appropriated from Middle River tributary to
San Joaquin River Delta Channels
Points of Diversion are along the east shore line of Bacon Island
starting from a point within the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 22, T2N, R4E,
MDB&M, to a point within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 16, T1N, R4E, MDB&M

Water to be appropriated from Santa Fe Dredge Cut tributary to
Old River, thence San Joaquin River Delta Channels
Points of Diversion are along the south shore line of Bacon Island
starting from a point within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 16, to a point
within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 17, all within T1N, R4E, MDB&M

Water to be appropriated from Old River tributary to
San Joaquin River Delta Channels
Points of Diversion are along the west shore line of Bacon Island
starting from a point within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 17, T1N, R4E,
MDB&M, to a point within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 20, T2N, R4E, MDB&M

Water to be appropriated from Connection Slough tributary to
Middle River, thence San Joaquin River Delta Channels
Points of Diversion are along the north shore line of Bacon Island
starting from a point within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 20, to a point
within the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 22, all within T2N, R4E, MDB&M

In the County of San Joaquin
Amount applied for: 110,570 acre-feet per annum by storage
Water to be used for: Municipal, Irrigation, and Dometic purposes
Diversion season named: December 15 to May 1

ENVIRONMENTAL INFORMATION

The State Water Resources Control Board (State Board) is lead agency, pursuant to the California Environmental Quality Act (CEQA), and is responsible for preparing appropriate environmental documents for the proposed project in compliance with CEQA. Since the project may have significant environmental effects, the State Board has determined that preparation of an Environmental Impact Report (EIR) for the project will be required. Furthermore, the State Board will likely collaborate with the U.S. Army Corps of Engineers in preparing a joint EIR/Environmental Impact Statement (EIS) for the project to satisfy the additional requirements of the National Environmental Policy Act (NEPA). All inquiries relative to environmental review matters concerning this project should be directed to Mr. Jim Canaday, State Water Resources Control Board, Division of Water Rights, P.O. Box 2000, Sacramento, CA 95810.

APPLICATIONS 29061, 29062, 29063 AND 29066
PAGE 5

RELATIVE TO PROTESTS

Protests may be based on possible injury to vested rights or an allegation that the proposed appropriations would not be within the Board's jurisdiction, would not be in the public interest, would have an adverse environmental impact, would result in waste, unreasonable method of use, or unreasonable method of diversion, would impair public trust uses, or would be contrary to law. Any person desiring to protest the Board's issuance of permits pursuant to these applications shall within 60 days from date of issuance of this notice shown below (or within such further time as may, for good cause shown, be allowed) file a written protest with the State Water Resources Control Board, P. O. Box 2000, Sacramento, California 95810 in care of the contact person specified below. Protest forms will be furnished free of charge upon request. A copy of any protest shall be sent to the applicant.

CONTACT PERSON:

- . For protest forms, call (916) 322-4503.
- . For information in regard to protest and time extension, call O. P. Gulati (916) 324-5630.
- . For information in regard to CEQA, call Jim Canaday (916) 324-5648.

Dated: DEC 04 1987

STATE WATER RESOURCES CONTROL BOARD

THE PAUL R. BONDERSOHN BUILDING
901 P STREET
SACRAMENTO, CA 95814

Mailing Address
DIVISION OF WATER RIGHTS
P.O. BOX 2000, Sacramento, CA 95812-2000



NOTICE OF APPLICATIONS TO APPROPRIATE WATER
AND
PETITIONS TO CHANGE PENDING APPLICATIONS

- (1) NEW APPLICATIONS 30267, 30268, 30269 and 30270,
- (2) PETITIONS TO CHANGE APPLICATIONS 29061, 29062, 29063 and 29066:

Notice is hereby given that on July 21, 1993

Delta Wetlands
John L. Winther, President
3697 Mt. Diablo Blvd., Suite 120
Lafayette, CA 94549

(1) applied to the State Water Resources Control Board (State Water Board) for additional permits to appropriate water subject to prior rights under Section 1200 et seq. of the California Water Code. These new applications request: (a) direct diversion rights, (b) additional storage amounts, and (c) a longer season of diversion than the earlier applications. The State Water Board has determined that the applications are in compliance with Section 65943 of the Government Code, and

(2) petitioned the State Water Board under Section 1700 et seq. of the Water Code to change the initial applications by: (a) changing and adding points of diversion, (b) adding points of rediversion, (c) adding the Bay/Delta Estuary to the place of use, and (d) adding Industrial, Fish and Wildlife Preservation and Enhancement, and Water Quality uses to the purpose(s) of use specified in the earlier applications. The purpose of the change petitions is to conform the above items in the initial applications to the new applications as described below.

The purpose(s) of this notice are: (1) to give persons concerned about Delta Wetlands Applications 30267, 30268, 30269 and 30270 to appropriate water from the various Delta Channels an opportunity to protest State Water Board approval of the applications, and (2) to give persons concerned about Delta Wetlands' petitions to change its pending applications an opportunity to protest State Water Board approval of Applications 29061, 29062, 29063 and 29066 as amended by the petitions. Protests filed pursuant to the December 4, 1987 notice of Applications 29061, 29062, 29063, and 29066 need not be resubmitted.

The allowable bases for acceptance of protests, procedures related to the filing of protests, and the name, telephone number, and mailing address of contact persons designated to answer questions concerning these applications and petitions are provided later in this notice.

BACKGROUND

Bedford Properties (Delta Wetlands) filed Applications 29061, 29062, 29063 and 29066 on July 9, 1987 for seasonal storage of unappropriated water on four islands in the Sacramento/San Joaquin Delta. The islands involved in the Delta Wetlands Project (Project) are Bouldin Island, Webb Tract, Holland Tract and Bacon Island located as shown on the map on page 10 of this notice.

In December of 1990 a draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the Project was circulated by the lead agencies. The State Water Board is lead agency under the California Environmental Quality Act (CEQA) and the U.S. Army Corps of Engineers (COE) is lead agency under the National Environmental Policy Act (NEPA).

Delta Wetlands filed Applications 30267, 30268, 30269 and 30270, and petitions to change pending Applications 29061, 29062, 29063 and 29066 on July 21, 1993. The revised project description is given below, followed by specifics of the new applications and the petitions to change the previous applications. The lead agencies are preparing a new draft EIR/EIS which they will circulate for comment before the State Water Board considers approval of the applications.

DELTA WETLANDS PROJECT DESCRIPTION

During times when water in excess of the rights of senior water right holders and in excess of fish and wildlife requirements is present in the Delta, water will be diverted onto the islands using several existing siphons and two new siphon stations proposed for construction on each island. New diversions will be screened to comply with requirements of the fishery agencies. The interior of the levees will be strengthened to accommodate the proposed use of the islands as reservoirs.

Throughout the year, but primarily from January through September annually, water will be discharged upon demand from new pumping stations proposed for construction on each island. The water will be rediverted at State and/or Federal pumping facilities and/or used for Water Quality or Fish and Wildlife Preservation and Enhancement purposes.

Reservoir water will be available for purchase by water purveyors and/or users within the CVP and SWP service areas or the Bay Delta Estuary. It may be used for Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses. The proposed operation may result in several cycles of reservoir filling and emptying. Water from one Delta Wetland Island may also be released for rediversion onto other Delta Wetlands Islands in order to optimize project operations. Normally, by the end of September, all appropriative water will have been discharged from the islands. The islands will then be managed for enhancement of waterfowl habitat uses until the next diversion season begins and appropriative water again becomes available for diversion.

EXPLANATION OF DIRECT DIVERSION VS STORAGE RE: THE DELTA WETLANDS PROJECT

Applications 29061, 29062, 29063 and 29066 are for storage of water as defined in 23 CCR Section 658 on Delta Wetlands' islands during the December 15 to May 1 collection season. New Applications 30267, 30268, 30269, and 30270 add additional storage with a year-round collection season. For the purposes of this notice and for water right licensing purposes, storage of water means the initial filling of the reservoirs during each collection season and reservoir refill held in storage for at least 30 days.

Applications 30267, 30268, 30269 and 30270 are for: (a) additional storage of water year-round, plus (b) direct diversion or regulation of water on Delta Wetlands' islands year-round as defined in 23 CCR Section 657. For the purposes of this notice and for water right licensing purposes, regulation of water means to refill a reservoir and hold the water for less than 30 days.

DESCRIPTION OF THE BOULDIN ISLAND ELEMENT

The applicant proposes to develop a 108,000 acre-foot (AF) capacity offstream storage/regulatory reservoir on Bouldin Island with a surface area of about 4,657 acres. The proposed reservoir will cover that portion of the island south of State Highway # 12 with about 23 feet of water. About 2,000 AF of water will be stored north of Highway # 12 with an average depth of about 2 feet. The water will be diverted to the reservoir by gravity and pumped flow from: (A) the Mokelumne River, (B) Little Potato Slough, (C) Potato Slough, and (D) the San Joaquin River. The primary means of diversion will be by two sets of nine proposed, 48" diameter screened pipe siphons, to be located on sources (A) and (B) as described below. Various existing siphons and gates in the existing levees as identified below may be used to divert water from sources (A), (B), (C) and (D). The installed capacity of all diversion facilities on Bouldin Island will be 3,504 cubic feet per second (cfs). The reservoir and all existing and proposed points of diversion on Bouldin Island are in San Joaquin County. The requested purpose(s) of use are for Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses. The place(s) of use proposed for Bouldin Island diversions are within the CVP service area, the SWP service area, and the Bay Delta Estuary as shown on maps on file with the State Water Board.

SPECIFICS OF NEW APPLICATION 30267

Sources of water to be appropriated are from:

- (A) the Mokelumne River, tributary to San Joaquin River Delta Channels
 - (1) at a new point of diversion within SE1/4 of NW1/4 of projected Section 20, T3N, R4E, Mount Diablo Base and Meridian (MDB&M)
 - (2) at 22 existing points of diversion along the north and west shore line of Bouldin Island starting from a point within the SW1/4 of NE1/4 of projected Section 7, to a point within the NE1/4 of SE1/4 of projected Section 19, all within T3N, R4E, MDB&M
- (B) Little Potato Slough, tributary to San Joaquin River Delta Channels
 - (1) at a new point of diversion within NE1/4 of SE1/4 of projected Section 23, T3N, R4E, MDB&M
 - (2) at 6 existing points of diversion along the east shore line of Bouldin Island starting from a point within the NW1/4 of NE1/4 of projected Section 35, to a point within the NE1/4 of NE1/4 of projected Section 14, all within T3N, R4E, MDB&M
- (C) Potato Slough, tributary to San Joaquin River Delta Channels
 - at 16 existing points of diversion along the south shore line of Bouldin Island starting from a point within the NW1/4 of NE1/4 of projected Section 30, to a point within the NW1/4 of NE1/4 of projected Section 35, all within T3N, R4E, MDB&M.
- (D) San Joaquin River, tributary to Suisun Bay
 - at an existing point of diversion along the west shore line of Bouldin Island between a point within the NE1/4 of SE1/4 of projected Section 19, and a point within the NE1/4 of NE1/4 of projected Section 30, all within T3N, R4E, MDB&M.

Rediversion of Bouldin Island reservoir water:

- (1) at the State Water Project Banks Pumping Plant (SWP Banks) within the NW1/4 of SE1/4 of projected Section 20, T1S, R4E, MDB&M
- (2) at the Central Valley Project Tracy Pumping Plant (CVP Tracy) within the NE1/4 of SW1/4 of projected Section 29, T1S, R4E, MDB&M
- (3) at the CVP Contra Costa Canal entrance within the SE1/4 of NE1/4 of Section 33, T2N, R3E, MDB&M
- (4) at all points of diversion requested in Application 30268
- (5) at all points of diversion requested in Application 30269
- (6) at all points of diversion requested in Application 30270.

In the County of San Joaquin

Amount applied for: 110,000 acre-feet per annum (afa) by storage
2,500 cfs by direct diversion, up to 216,000 afa.

Water to be used for: Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses.

Diversion season named: January 1 to December 31.

Place of Use: within the CVP service area, the SWP service area, and the Bay Delta Estuary as shown on maps on file with the State Water Board.

DESCRIPTION OF PETITIONED CHANGES TO PENDING APPLICATION 29061

Changes in Points of Diversion and Rediversion:

- (1) delete the primary point of diversion in Application 29061
- (2) add: (1) the primary points of diversion, (2) the existing points of diversion, and (3) the points of rediversion specified in Application 30267 described above.

Change the place of use to
within the CVP service area, the SWP service area, and
the Bay Delta Estuary as shown on maps on file with the
State Water Board.

Change the purpose of use to
Irrigation, Domestic, Municipal, Industrial, Fish &
Wildlife Preservation & Enhancement or Water Quality
uses.

DESCRIPTION OF THE WEBB TRACT ELEMENT

The applicant proposes to develop a 131,000 acre-foot (AF) capacity storage/regulatory reservoir on Webb Tract with a surface area of about 5,345 acres. The proposed reservoir will cover the island with about 25 feet of water. The water will be diverted to the reservoir by gravity and pumped flow from: (A) False River, (B) San Joaquin River, and (C) Old River. The primary means of diversion will be by two sets of nine proposed, 48" diameter screened pipe siphons, to be located on sources (A) and (B) as described below. Various existing siphons and gates in the existing levees as identified below may be used to divert water from sources (A), (B), and (C). The installed capacity of all diversion facilities on Webb Tract will be 4,733 cfs. The reservoir and all existing and proposed points of diversion on Webb Tract are in Contra Costa County. The requested purpose(s) of use are for Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses. The place(s) of use proposed for Webb Tract diversions are within the CVP service area, the SWP service area, and the Bay Delta Estuary as shown on maps on file with the State Water Board.

SPECIFICS OF NEW APPLICATION 30268

Sources of water to be appropriated are from:

- (A) False River, tributary to San Joaquin River Delta Channels
 - (1) at a new point of diversion within SW1/4 of NE1/4 of projected Section 36, T3N, R3E, MDB&M
 - (2) at 6 existing points of diversion along the south shore line of Webb Tract starting from a point within the SW1/4 of NW1/4 of projected Section 31 of T3N, R4E, MDB&M, to a point within the SW1/4 of SE1/4 of projected Section 33 within T3N, R3E, MDB&M
- (B) San Joaquin River, tributary to Suisun Bay
 - (1) at a new point of diversion within NE1/4 of SW1/4 of projected Section 19, T3N, R4E, MDB&M
 - (2) at 11 existing points of diversion along the north and east shore lines of Webb Tract starting from a point within the NW1/4 of NE1/4 of projected Section 28, to a point within the NW1/4 of SE1/4 of projected Section 30, all within T3N, R3E, MDB&M
- (C) Old River, tributary to San Joaquin River Delta Channels
at an existing Point of Diversion along the southeast shore line of Webb Tract between a point within the NW1/4 of SE1/4 of projected Section 30, and a point within the SW1/4 of NW1/4 of projected Section 31, within T3N, R4E, MDB&M.

Rediversion of Webb Tract reservoir water:

- (1) at SWP Banks within the NW1/4 of SE1/4 of projected Section 20, T1S, R4E, MDB&M
- (2) at CVP Tracy within the NE1/4 of SW1/4 of projected Section 29, T1S, R4E, MDB&M
- (3) at the Contra Costa Canal intake within the SE1/4 of NE1/4 of Section 33 T2N, R3E, MDB&M
- (4) at all points of diversion requested in Application 30267 as described above
- (5) at all points of diversion requested in Application 30269 as described below
- (6) at all points of diversion requested in Application 30270 as described below.

In the County of Contra Costa

Amount applied for: 155,000 acre-feet per annum (afa) by storage
3,000 cfs by direct diversion, up to 262,000 afa.

Water to be used for: Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses.

Diversion season named: January 1 to December 31.

Place of Use: within the CVP service area, the SWP service area, and the Bay Delta Estuary as shown on maps on file with the State Water Board.

DESCRIPTION OF PETITIONED CHANGES TO PENDING APPLICATION 29062

Changes in points of diversion and rediversion:

- (1) delete the primary point of diversion in Application 29062
- (2) add the: (1) primary points of diversion, (2) existing points of diversion, and (3) points of rediversion specified in Application 30268 as described above.

Change the place of use to

within the CVP service area, the SWP service area, and the Bay Delta Estuary as shown on maps on file with the State Water Board.

Change the purpose of use to

Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses.

DESCRIPTION OF THE HOLLAND TRACT ELEMENT

The applicant proposes to develop a 80,000 AF capacity storage/regulatory reservoir on Holland Tract with a surface area of about 4,152 acres. The proposed reservoir will cover the island with about 21 feet of water. The water will be diverted to the reservoir by gravity and pumped flow from: (A) Roosevelt Cut, (B) Holland Cut-Old River, (C) Rock Slough, and (D) Sand Mound Slough. The primary means of diversion will be by two sets of nine proposed, 48" diameter screened pipe siphons, to be located on sources (A) and (B) as described below. Various existing siphons and gates in the existing levees as identified below may be used to divert water from sources (A), (B), (C), and (D). The installed capacity of all diversion facilities on Holland Tract will be 3,254 cubic feet per second (cfs). The reservoir and all existing and proposed points of diversion on Holland Tract are in Contra Costa County. The requested purpose(s) of use are for Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses. The place(s) of use proposed for Holland Tract diversions are

within the CVP service area, the SWP service area, and the Bay Delta Estuary as shown on maps on file with the State Water Board.

SPECIFICS OF NEW APPLICATION 30269

Sources of water to be appropriated are from:

- (A) Roosevelt Cut, tributary to Old River, thence San Joaquin River Delta Channels
 - (1) at a new point of diversion within the SW1/4 of SE1/4 of Section 12, T2N, R3E, MDB&M
 - (2) at 4 existing points of diversion along the north/west shore line of Holland Tract starting from a point within the NW1/4 of SW1/4 of projected Section 23, T2N, R3E, MDB&M, to a point within the SW1/4 of SW1/4 of projected Section 7, within T2N, R4E, MDB&M.
- (B) Holland Cut-Old River, tributary to San Joaquin River Delta channels
 - (1) at a point of diversion within SE1/4 of NW1/4 of projected Section 19, T2N, R4E, MDB&M
 - (2) at 7 existing points of diversion along the east shore line of Holland Tract starting from a point within the SW1/4 of SW1/4 of projected Section 7, to a point within the NW1/4 of SW1/4 of projected Section 31, all within T2N, R4E, MDB&M
- (C) Rock Slough, tributary to Old River, thence San Joaquin River Delta channels
 - at 5 existing points of diversion along the south shore line of Holland Tract starting from a point within the NW1/4 of SW1/4 of projected Section 31, T2N, R4E, MDB&M, to a point within the SW1/4 of NW1/4 of projected Section 7, within T2N, R3E, MDB&M
- (D) Sand Mound Slough, tributary to Old River, thence San Joaquin River Delta Channels
 - at a 5 points of diversion along the north/west shore line of Holland Tract starting from a point within the SW1/4 of NW1/4 of projected Section 35, to a point within the NW1/4 of SW1/4 of projected Section 23, all within T2N, R3E, MDB&M

Rediversion of Holland Tract reservoir water:

- (1) at SWP Banks within the NW1/4 of SE1/4 of projected Section 20, T1S, R4E, MDB&M
- (2) at CVP Tracy within the NE1/4 of SW1/4 of projected Section 29, T1S, R4E, MDB&M
- (3) at the Contra Costa Canal intake within the SE1/4 of NE1/4 of Section 33 T2N, R3E, MDB&M
- (4) at all points of diversion requested in Application 30267 as described above
- (5) at all points of diversion requested in Application 30268 as described above
- (6) at all points of diversion requested in Application 30270 as described below.

In the County of Contra Costa

Amount applied for: 90,000 acre-feet per annum (afa) by storage
2,500 cfs by direct diversion, up to 160,000 afa.

Water to be used for: Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses.

Diversion season named: January 1 to December 31.

Place of Use: within the CVP service area, the SWP service area,
and the Bay Delta Estuary as shown on maps on file
with the State Water Board.

DESCRIPTION OF PETITIONED CHANGES TO PENDING APPLICATION 29063

Changes in points of diversion and rediversion

(1) delete the primary point of diversion in Application 29063

(2) add: the primary points of diversion, (2) the existing points
of diversion, and (3) the points of rediversion specified in
Application 30269 described above.

Change the place of use to

within the CVP service area, the SWP service area, and
the Bay Delta Estuary as shown on maps on file with the
State Water Board.

Change the purpose of use to

Irrigation, Domestic, Municipal, Industrial, Fish &
Wildlife Preservation & Enhancement or Water Quality
uses.

DESCRIPTION OF THE BACON ISLAND ELEMENT

The applicant proposes to develop a 129,000 AF capacity storage/regulatory reservoir on Bacon Island with a surface area of about 5,456 acres. The proposed reservoir will cover the island with about 24 feet of water. The water will be diverted to the reservoir by gravity and pumped flow from: (A) Connection Slough, (B) Middle River, (C) Santa Fe Dredge Cut, (D) Old River. The primary means of diversion will be by two sets of nine proposed, 48" diameter screened pipe siphons to be located on sources (A) and (B) as described below. Various existing siphons and gates in the existing levees as identified below may divert water from sources (A), (B), (C) and (D). The installed capacity of all diversion facilities on Bacon Island will be 4,809 cfs. The reservoir and all existing and proposed points of diversion on Bacon Island are in San Joaquin County. The requested purpose(s) of use are for Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses. The place(s) of use proposed for Bacon Island diversions are within the CVP service area, the SWP service area, and the Bay Delta Estuary as shown on maps on file with the State Water Board.

SPECIFICS OF NEW APPLICATION 30270

Sources of water to be appropriated are from:

(A) Old River, tributary to San Joaquin River Delta channels

(1) at a new point of diversion within NE1/4 of NE1/4 of projected
Section 30, T2N, R4E, MDB&M

(2) at 10 existing points of Diversion along the west shore line
of Bacon Island starting from a point within the NW1/4 of NE1/4
of projected Section 17, T1N, R4E, MDB&M, to a point within the
SW1/4 of SW1/4 of projected Section 20, within T2N, R4E, MDB&M.

(B) Middle River, tributary to San Joaquin River Delta channels

(1) at a new point of diversion within NW1/4 of NW1/4 of projected
Section 27, T2N, R4E, MDB&M

(2) at 11 existing points of diversion along the east shore line
of Bacon Island starting from a point within the SE1/4 of SW1/4
of projected Section 22 within T2N, R4E, MDB&M, to a point within
the NE1/4 of NE1/4 of projected Section 16, within T1N, R4E,
MDB&M

(C) Santa Fe Dredge Cut, tributary to Old River, thence San Joaquin River Delta channels

at 3 existing points of diversion along the south shore line of Bacon Island starting from a point within the NE1/4 of NE1/4 of projected Section 16, to a point within the NW1/4 of NE1/4 of projected Section 17, all within T1N, R4E, MDB&M

(D) Connection Slough, tributary to Middle River, thence San Joaquin River Delta channels

at 4 existing points along the north shore line of Bacon Island starting from a point within the SW1/4 of SW1/4 of projected Section 20, to a point within the SE1/4 of SW1/4 of projected Section 22, all within T2N R4E, MDB&M

Rediversion of Bacon Island reservoir water:

(1) at SWP Banks within the NW1/4 of SE1/4 of projected Section 20, T1S, R4E, MDB&M

(2) at CVP Tracy within the NE1/4 of SW1/4 of projected Section 29, T1S, R4E, MDB&M

(3) at the Contra Costa Canal intake within the SE1/4 of NE1/4 of Section 33 T2N, R3E, MDB&M

(4) at all points of diversion requested in Application 30267 as described above

(5) at all points of diversion requested in Application 302688 as described above

(6) at all points of diversion requested in Application 30269 as described above.

In the County of San Joaquin

Amount applied for: 147,000 acre-feet per annum (afa) by storage
3,000 cfs by direct diversion, up to 258,000 afa.

Water to be used for: Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses.

Diversion season named: January 1 to December 31.

Place of Use: within the CVP service area, the SWP service area, and the Bay Delta Estuary as shown on maps on file with the State Water Board.

DESCRIPTION OF PETITIONED CHANGES TO PENDING APPLICATION 29066

Changes in points of diversion and rediversion:

(1) delete the primary point to diversion in Application 29066

(2) add : (1) the primary points of diversion, (2) the existing points of diversion, and (3) the points of rediversion specified in Application 32070 described above.

Change the place of use to within the CVP service area, the SWP service area, and the Bay Delta Estuary as shown on maps on file with the State Water Board.

Change the purpose of use to Irrigation, Domestic, Municipal, Industrial, Fish & Wildlife Preservation & Enhancement or Water Quality uses.

ENVIRONMENTAL INFORMATION

The State Water Board is lead agency under CEQA and is responsible for preparing appropriate environmental documents for the Delta Wetlands Project with respect to the appropriative water right permit process. The US Army Corps of Engineers is lead agency under NEPA and is responsible for preparing appropriate environmental documents for the Delta Wetlands Project with respect to the federal Rivers and Harbors Act Section 10 & Clean Water Act Section 404 permits required for construction the project.

In December of 1990 a draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the project was circulated by the lead agencies. Operation of the project will comply with State and federal endangered species laws. The lead agencies are preparing a new draft EIR/EIS which will be circulated for comment prior to considering approval of the applications.

Inquiries relative to the CEQA process for the Delta Wetlands Project water rights permits should be addressed to: Mr. Jim Sutton at (916) 657 2190, or c/o Division of Water Rights, Environmental Section, P.O. Box 2000, Sacramento, CA 95812-2000. Inquiries relative to the NEPA process for the Delta Wetlands Project COE Section 10 & 404 permits should be addressed to: Mr. Larry Vinzant at (916) 557 5263, or c/o US Army Corps of Engineers, Regulatory Section, 1325 J Street, Sacramento, CA 95814-2922.

RELATIVE TO PROTESTS

Any person desiring to protest the Board's approval of the petitions and issuance of permits pursuant to the new applications and pending applications shall by 4 p.m. on October 5, 1993 (or within such further time as may, for good cause shown, be allowed), file written protest with the State Water Board, Division of Water Rights, c/o Dave Cornelius, P.O. Box 2000, Sacramento, CA 95812-2000. The State Water Board will provide forms and copies of the applicable regulations for the filing of protest(s) upon request.

Any protest shall set forth: (1) the name and address of the protestant, (2) the reason(s) for the protestant's objection(s) to the petitions and/or applications, (3) any conditions on which the objection(s) could be satisfied.

Any protest based on injury to vested right(s) shall be supported by a complete statement of fact(s): (1) identifying the protestant's claim of right(s), and (2) how the petitions or new applications will result in injury to the protestant.

Any protest alleging that the petitions or the new applications will: (1) be contrary to law, (2) adversely affect uses protected by the public trust, (3) cause adverse environmental impact(s), and /or (4) not best serve the public interest, shall be supported by a complete statement of facts supporting the foregoing allegations and describing how the petitions or applications relate to the allegation(s).

Protests filed pursuant to the December 4, 1987 notice of Applications 29061, 29062, 29063, and 29066 need not be resubmitted.

Copies of any protest must also be sent to the following parties:

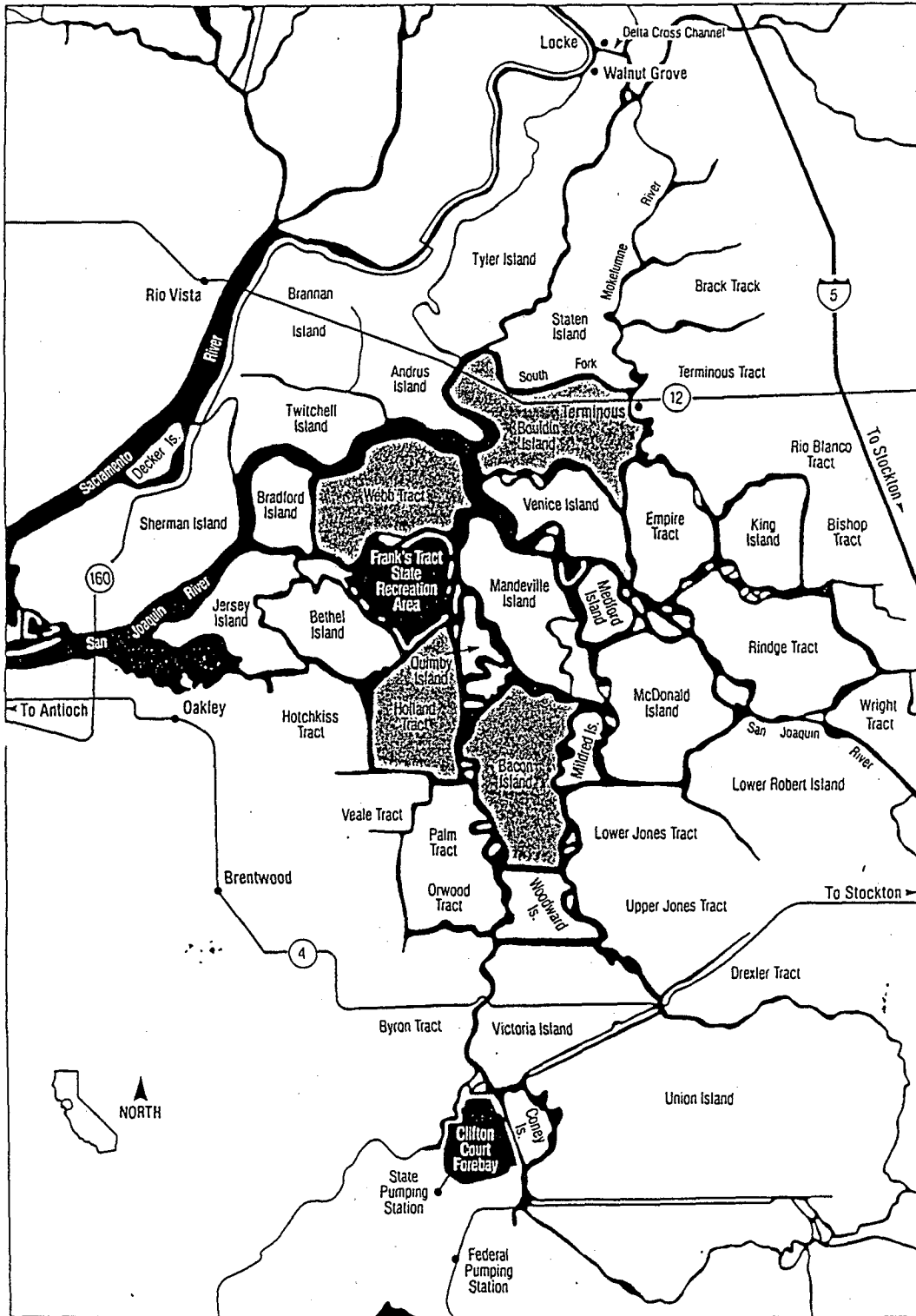
Regulatory Section
US Army Corps of Engineers
c/o Larry Vinzant
1325 J Street
Sacramento, CA 95814-2922

Delta Wetlands, Inc.
c/o Jim Easton,
7801 Folsom Blvd., Ste. 106
Sacramento, CA 95826
Phone (916) 386-4200

Questions concerning the petitions or the new applications may be directed to Dave Cornelius at (916) 657 1924 or FAX (916) 657 1485.

Date: August 6, 1993

DELTA WETLANDS PROJECT



STATE WATER RESOURCES CONTROL BOARD

PAUL R. BONDERSON BUILDING
901 P STREET
SACRAMENTO, CALIFORNIA 95814

Mailing Address

DIVISION OF WATER RIGHTS

P.O. BOX 2000, Sacramento, CA 95812-2000

Date: **APRIL 07 1995****NOTICE OF PETITION(S) ON PENDING APPLICATIONS 30267, 30268, 30269 and 30270**

Notice is hereby given that on November 24, 1994

Delta Wetlands, Inc.
John L. Winther, President
3697 Mt. Diablo Blvd., Suite 120
Lafayette, CA 94549

Petitioned the State Water Resources Control Board (SWRCB) under section 1701 et seq. of the Water Code and section 791 et seq. of Title 23 California Code of Regulations (CCR) to change Applications 30267, 30268, 30269 and 30270 (as noticed August 6, 1993) **only by adding on-island point(s) of diversion** to facilitate reappropriation of water previously diverted onto the islands under other rights.

The purpose of this notice is to give persons concerned about Delta Wetland's proposed addition of the on-island point(s) of diversion to Applications 30267, 30268, 30269 and 30270 an opportunity to protest the SWRCB's inclusion of the proposed additional point(s) of diversion in any permits issued following hearing on the project.

The allowable bases for acceptance of protests under this notice (relative to addition of the points of diversion), procedures related to the filing of protests, and the name, telephone number, and mailing address of contact persons designated to answer questions concerning these new petitions are provided later in this notice.

BACKGROUND

Bedford Properties (Delta Wetlands) filed Applications 29061, 29062, 29063 and 29066 on July 9, 1987 for seasonal storage of unappropriated water on four islands in the Sacramento/San Joaquin Delta. The islands involved in the Delta Wetlands Project (Project) are Bouldin Island, Webb Tract, Holland Tract and Bacon Island, located as shown on the map on the last page of the enclosure with this notice.

The SWRCB is lead agency for this project under the California Environmental Quality Act (CEQA) and the U.S. Army Corps of Engineers (COE) is lead agency under the National Environmental Policy Act (NEPA). In December of 1990 a draft Environmental Impact Report (DEIR)/Environmental Impact Statement (EIS) for the Project under the initial applications were circulated by the lead agencies. The 1990 DEIR/EIS discussed reappropriation of water to storage, but did not identify a legal mechanism for appropriation or a point where the water would be diverted.

On July 21, 1993 Delta Wetlands filed Applications 30267, 30268, 30269 and 30270, and petitions to change pending Applications 29061, 29062, 29063 and 29066. Those applications and petitions were noticed on August 6, 1993. Copies of the August 6 notice are available upon request from Dave Cornelius at (916) 657-1924 or by writing the Division of Water Rights at the address listed below. However, please note in the notice, the period for protesting the 1993 applications and 1993 change petitions closed October 5, 1993.

On July 15, 1994 Delta Wetlands filed a revised project description outlining a two island project alternative. A copy of the revised project description including a map showing the various locations of the islands is enclosed. Specifics of the new petitions to add on-island points of diversion under the new applications are provided later in this notice.

EXPLANATION OF DIRECT DIVERSION VS STORAGE RE: THE DELTA WETLANDS PROJECT

Licensed Applications 2948, 2951, 2952, and 2954 authorize direct diversion only from March 1 - November 1 or regulation of water as defined in 23 CCR section 657. Applications 30267, 30268, 30269, and 30270 propose both direct diversion and storage year-round as defined in 23 CCR section 658. The November 1994 petitions propose appropriation to storage, water that previously was appropriated by direct diversion under the licenses and/or appropriation of water that previously was diverted under claim of riparian right, at the points of diversion listed below. The previously diverted water would be appropriated on the islands in lieu of pumping it off the islands and replacing it with new water diverted from delta channels.

In other words, if petitions are approved, water on the islands would be deemed appropriated at the on-island diversion points when water is available for appropriation from the delta under the priority of the 1993 applications.

DESCRIPTION OF PETITIONS

The November 28, 1994 petitions for change request addition of on-island points of diversion to facilitate the appropriation or reappropriation of water diverted onto the islands and used under claim of riparian right or under licensed Applications 2948 (Bouldin Island), 2951 (Holland Tract), 2952 (Webb Tract), and 2954 (Bacon Island) to storage under these application(s). The petitioner has requested diversion at the proposed on-island diversion points at the rate of capacity of the respective drainage pump(s) installed on that island. Water will be appropriated at the on-island diversion points only when water is available for appropriation under the priority of the 1993 applications (July 23, 1993), subject to all terms and conditions included in any permits issued by the State Water Board. The sources of the water, and specific locations of the proposed on-island points of diversion are listed below for each island as identified on maps on file with the SWRCB.

The amount(s) of water applied for, the purpose(s) of use, the season of diversion and place(s) of use would remain unchanged under the petitions.

SPECIFICS OF CHANGES TO APPLICATION 30267 FOR BOULDIN ISLAND STORAGE

Sources of water to be appropriated are the Bouldin Island Channels, previously diverted from:

- (A) the Mokelumme River, tributary to San Joaquin River Delta Channels
- (B) Little Potato Slough, tributary to San Joaquin River Delta Channels
- (C) Potato Slough, tributary to San Joaquin River Delta Channels
- (D) San Joaquin River, tributary to Suisun Bay.

The proposed additional points of diversion (PODs) on Bouldin Island are at existing Pump Station "A" within the NE¼ of the SE¼ of Section 20, T3N, R4E, MDB&M, and at existing Pump Station "B" within the SE¼ of the SE¼ of Section 22, T3N, R4E, MDB&M, both in San Joaquin County.

The rate of collection to storage requested for the new PODs would not exceed the capacity of the drainage pumps on Bouldin Island (currently about 200 cfs).

SPECIFICS OF THE CHANGE TO APPLICATION 30268 FOR WEBB TRACT STORAGE

Sources of water to be appropriated are Webb Tract Channels, previously appropriated from:

- (A) False River, tributary to San Joaquin River Delta Channels
- (B) San Joaquin River, tributary to Suisun Bay
- (C) Old River, tributary to San Joaquin River Delta Channels.

The proposed additional POD on Webb Tract is at the proposed discharge pump Station to be located within the SE¼ of the NW¼ of Section 34, T3N, R3E, MDB&M in Contra Costa County.

The rate of collection to storage requested for the new POD is 4000 cfs, the capacity of the proposed discharge pump station on Webb Tract.

SPECIFICS OF CHANGES TO APPLICATION 30269 FOR HOLLAND TRACT STORAGE

Sources of water to be appropriated are Holland Tract Channels, previously diverted from:

- (A) Roosevelt Cut, tributary to Old River, thence San Joaquin River Delta Channels
- (B) Holland Cut-Old River, tributary to San Joaquin River Delta Channels
- (C) Rock Slough, tributary to Old River, thence San Joaquin River Delta Channels.
- (D) Sand Mound Slough, tributary to Old River, thence San Joaquin River Delta Channels.

The proposed additional PODs on Holland Track are at existing Pump Station "A" located within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, T3N, R3E, MDB&M, at existing Pump Station "B" located within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34, T3N, R4E, MDB&M, and at existing Pump Station "C" located within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20, T2N, R4E, MDB&M in Contra Costa County.

The rate of collection to storage requested for the new PODs would not exceed the capacity of the drainage pumps on Holland Tract (currently 200 cfs).

SPECIFICS OF CHANGES TO APPLICATION 30270 FOR BACON ISLAND STORAGE

Sources of water to be appropriated are Bacon Island Channels, previously diverted from:

- (A) Old River, tributary to San Joaquin River Delta Channels
- (B) Middle River, tributary to San Joaquin River Delta Channels
- (C) Santa Fe Dredge Cut, tributary to Old River, thence San Joaquin
- (D) Connection Slough, tributary to Middle River, thence San Joaquin River Delta Channels.

The proposed additional POD on Bacon Island is at the proposed discharge pumping Station located within the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 8, T1N, R4E, MDB&M in San Joaquin County.

The rate of collection to storage requested for the new POD is 4000 cfs, the capacity of the proposed discharge pump on Bacon Island.

ENVIRONMENTAL INFORMATION

The SWRCB is lead agency under CEQA and is responsible for preparing appropriate environmental documents for the Delta Wetlands Project with respect to the appropriative water right permit process. The US Army Corps of Engineers is lead agency under NEPA and is responsible for preparing appropriate environmental documents for the Delta Wetlands Project with respect to the federal Rivers and Harbors Act Section 10 & Clean Water Act Section 404 permits required for construction of the project.

In December of 1990 a draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the project was circulated by the lead agencies. Operation of the project will comply with State and federal endangered species laws. The lead agencies are preparing a new draft EIR/EIS which is expected to be circulated for comment in 1995.

Inquiries relative to the CEQA process for the Delta Wetlands Project water rights permits should be addressed to: Mr. Jim Sutton at (916) 657-2190, or c/o Division of Water Rights, Environmental Section, P.O. Box 2000, Sacramento, CA 95812-2000. Inquiries relative to the NEPA process for the Delta Wetlands Project COE Section 10 and 404 permits should be addressed to: Mr. Jim Monroe at (916) 557-5266, or c/o US Army Corps of Engineers, Regulatory Section, 1325 J Street, Sacramento, CA 95814-2922.

RELATIVE TO PROTESTS

Any person desiring to protest the Board's approval of the petitions to include the PODs in any permits issued pursuant to the pending applications shall by 4 p.m. on May 8, 1995 (or within such further time as may, for good cause shown, be allowed), file written protest(s) with the Division of Water Rights, c/o Dave Cornelius, P.O. Box 2000, Sacramento, CA 95812-2000. The SWRCB will provide forms and copies of the applicable regulations for the filing of protest(s) upon request.

Any protest shall set forth: (1) the name and address of the protestant, (2) the reason(s) for the protestant's objection(s) to the petitions and/or applications, (3) any conditions on which the objection(s) could be satisfied.

Any protest based on injury to vested right(s) shall be supported by a complete statement of fact(s): (1) identifying the protestant's claim of right(s), and (2) how the addition of the requested on-island points of diversion will result in injury to the protestant.

Any protest alleging that the petitions or the new applications will: (1) be contrary to law, (2) adversely affect uses protected by the public trust, (3) cause adverse environmental impact(s), and /or (4) not best serve the public interest, shall be supported by a complete statement of facts supporting the foregoing allegations and describing how the petitions or applications relate to the allegation(s).

Protests accepted pursuant to the December 4, 1987 notice of Applications 29061, 29062, 29063, and 29066 remain valid and should not be resubmitted. Protests accepted pursuant to the August 6, 1993 notice of Applications 30267, 30268, 30269, and 30270 and the 1993 petitions remain valid and should not be resubmitted. The revised project as described in the June 15, 1994 enclosure and issues raised in the protests will be addressed in the DEIR/EIS.

The Applicant is expected to respond to most of the specific issues in the accepted protests after the lead agencies release the DEIR/EIS and prior to the hearing.

Copies of any protest must also be sent to the following parties:

Regulatory Section
US Army Corps of Engineers
c/o Jim Monroe
1325 J Street
Sacramento, CA 95814-2922

Delta Wetlands, Inc.
c/o Jim Easton
7801 Folsom Blvd., Ste. 110
Sacramento, CA 95826
Phone (916) 386-4200

Questions concerning the petitions may be directed to Dave Cornelius at (916) 657-1924 or FAX (916) 657-1485.

Date: **APRIL 07 1995**

DELTA WETLANDS PROJECT
June 15, 1994

DESCRIPTION

General Description: The Delta Wetlands project is a proposed water supply project utilizing four Delta islands: Bouldin Islands, Holland Tract, Webb Tract and Bacon Island. Under the project proponent's preferred alternative, Bouldin Island and Holland Tract will be dedicated for habitat purposes with only incidental water supply benefits. Webb Tract and Bacon Island are to be used as year-round water supply reservoirs.

Water Yield: The Delta Wetlands project will divert and store surplus Delta flows for later release and possible export. The proposed storage capacity of the reservoir islands is 238 thousand acre-feet (TAF). The annual yield of the project is subject to a multitude of assumptions and variables but is expected to develop an average of more than 200 TAF of water per year. The project is also well positioned to facilitate water transfers or banking programs.

Reservoir Islands: The two reservoir islands, Webb Tract and Bacon Island may divert water at any time of the year under the preferred alternative; however, water will most likely be available in the winter and spring during periods of high Delta flows. Diversions onto the reservoir islands will be subject to permit conditions to protect senior water right holders, as well as critical life stages of Delta fisheries in the vicinity of the points of diversions. Water will be diverted onto the reservoir islands by a series of 36" siphons and each siphon will be fitted with an individual fish screen to avoid fish entrainment. The reservoirs will be capable of rapid filling with a maximum diversion capacity of 4,500 cfs per reservoir and could be filled in as few as three weeks. The stored water will be pumped from the islands to the adjacent Delta channels for beneficial use. The reservoir islands will not fill every year, but under certain circumstances, may be able to fill and drain more than once during the same year or may carry over storage from one year to the next. The beneficial use of the water could be for export from the Delta or could support Delta water quality or flow standards.

Habitat Islands: The two habitat islands, Bouldin Island and 3,014 acres on Holland Tract will be operated primarily for wildlife benefits, although a small amount of water storage may also be developed. The habitat will include a mosaic of habitat types managed primarily for migratory waterfowl and two listed terrestrial species (greater sandhill crane and Swainson's hawk), but will also provide year-round benefits for many other wildlife species. A habitat management plan (HMP) has been prepared to describe in detail the implementation and operations on the habitat islands.

DELTA WETLANDS PROJECT

June 15, 1994

Page 2

PROJECT FEATURES

Terrestrial Habit: One hundred and fifty years ago, there were five million acres of wetlands in California. Today, less than 500,000 acres remain. The flooded islands will provide about 9,000 acres of important new habitat every year. The production of waterfowl food will be many times greater than existing conditions on the islands. The 9,000 acres dedicated to a new habitat on Bouldin Island and Holland Tract will provide an opportunity to develop new habitat wildlife and waterfowl, including several endangered species. Because the wetlands will be in a wet or semi-moist condition year-round, invertebrate food for wildlife will be more abundant. Also nesting opportunities on Bouldin Island and Holland Tract will be greatly enhanced.

Fisheries: The current agricultural diversions for irrigation will be reduced or eliminated if the project is approved. Eliminating these unscreened diversions will benefit fisheries, such as striped bass and Delta smelt. Current entrapment of eggs and larvae will be reduced.

Levee Stability: The perimeter levees on all four islands will be habilitated to meet the current state recommended levee standards described in Department of Water Resources Bulletin No. 192-82. The inside surface of the reservoir island levees on Bacon Island and Webb Tract will be protected from wave erosion by the installation of rock revetment. Converting these islands to managed habitat areas and reservoirs will reduce subsidence by decreasing oxidation of peat soils. Strengthened levees and reduced subsidence will improve overall levee stability on all four project islands.

Seepage Control: Any potential seepage from the water storage islands to adjacent islands will be intercepted by a series of interceptor wells around the perimeter of the reservoir islands at all potentially critical locations. The interceptor wells will be installed and operating prior to the storage of water above normal agricultural levels. An off-island monitoring well program will be included to measure the effectiveness of the onsite interception system.

Water Quality: Water will generally be diverted onto the reservoir islands when the Delta is in a surplus condition and Delta water quality is good. It will be pumped off of the reservoir islands when there is a demand for water, which generally coincides with lower water availability and poorer water quality. The net effect is that the project, on balance, should improve water quality in the Delta.

Wetlands and Fishery Research: Two dollars per acre-foot of exported water will be directed to wetlands and fishery research.

DEIR/EIS Schedule: The draft environmental document is scheduled for public distribution in the summer of 1994.

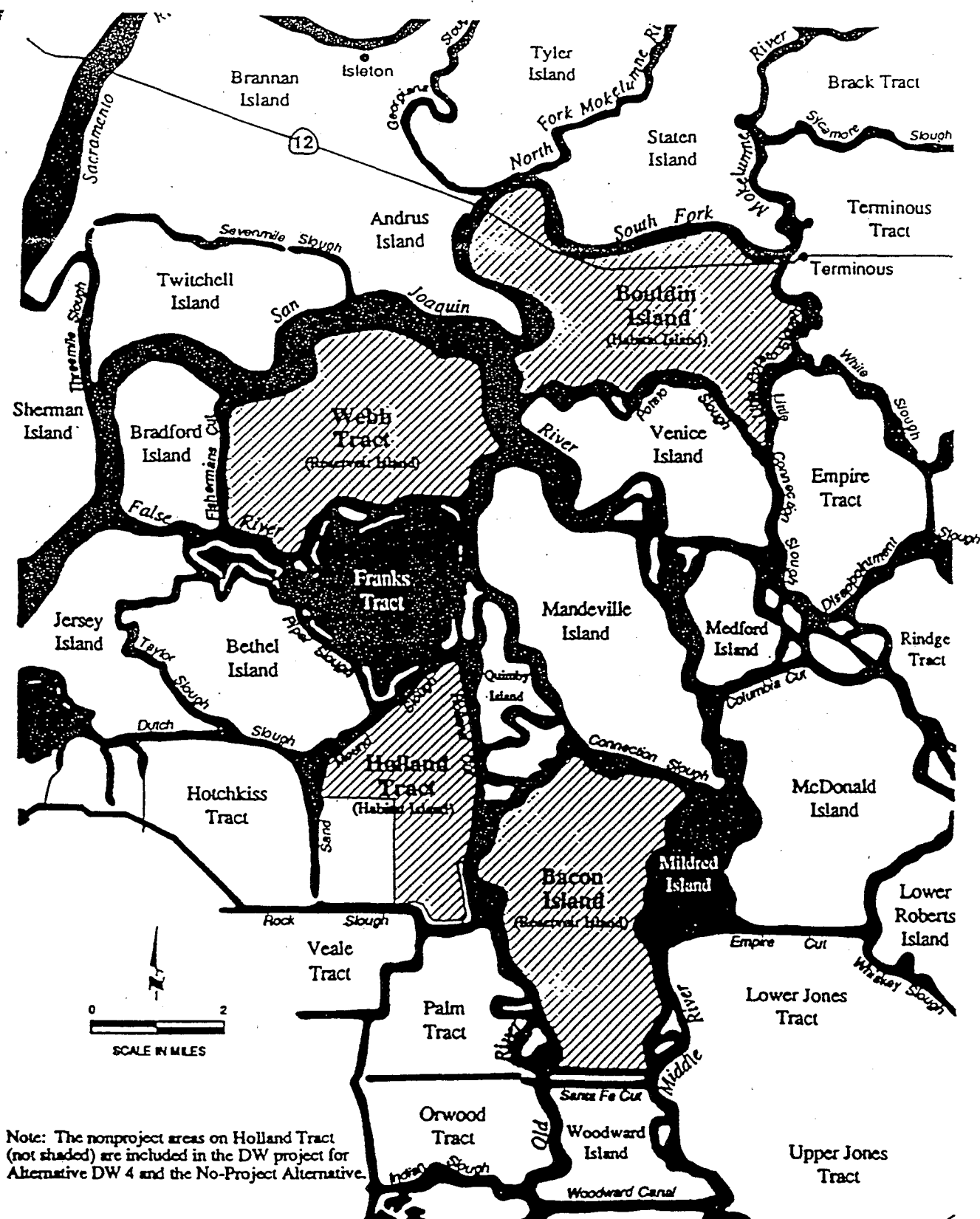


Figure 2-1.
DW Project Islands

**DELTA WETLANDS
PROJECT EIR/EIS**
Prepared by: Jones & Stokes Associates